

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Request for Extension of Time to	)	
Construct Digital Facilities	)	File No. BEPCDT-20020304AAG
WTXX-DT, Waterbury, Connecticut	)	ID No. 14050
	)	
	)	
	)	
	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: March 12, 2003**

**Released: March 13, 2003**

By the Chief, Media Bureau:

1. The Media Bureau (the "Bureau") has before it a petition for reconsideration filed by WTXX, Inc. (WTXX), licensee of WTXX-DT, Waterbury, Connecticut, seeking reconsideration of the Media Bureau's letter of June 12, 2002, denying its request for an extension of time to construct the digital facilities for WTXX-DT and admonishing WTXX for failing to meet the May 1, 2002, construction deadline for DTV facilities. For the reasons stated below, we grant the petition.

2. WTXX's petition contains additional information concerning the zoning disputes that have delayed its ability to utilize its approved tower and commence operations. WTXX also points out that this same controversy warranted a grant of the extension of time requests of two other DTV permittees. This additional information demonstrates that WTXX's delays were the result of circumstances beyond its control. In addition, on July 30, 2004, WTXX-DT was granted Special Temporary Authority to provide a low-power DTV service to its community of license. Based on the information now before us, we conclude that WTXX's request for an extension of time to construct its digital facilities is justified.

3. ACCORDINGLY, IT IS ORDERED, THAT the petition for reconsideration filed by WTXX, Inc. IS GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

W. Kenneth Ferree  
Chief, Media Bureau